

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- v - :

D E C L A R A T I O N

WILLIAM DAVIS, : **07 CR 468 (KMK)**

Defendant. :

- - - - - x

I, **WILLIAM DAVIS**, hereby declare under the penalties of perjury pursuant to 28 U.S.C. § 1746, that:

1. I am the defendant in this criminal action, and I am submitting this Declaration in support of a motion to suppress physical evidence that was obtained in violation of my rights under the Fourth Amendment to the United States Constitution.

2. This Declaration is based on my best recollection of the events that it describes; because its purpose is limited to establishing that my rights were violated, I have not included every detail of what occurred.

3. In 2006 and 2007, I owned a safe in which I kept some of my personal belongings; it was my expectation that the contents of the safe would remain private.

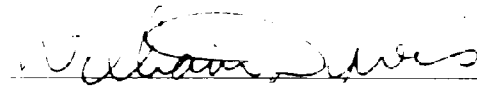
4. I have recently learned that, in or about January of 2007, police officers opened my safe even though they did not have a search warrant.

5. At no time did I abandon the safe, and at no time did I consent to the officers' opening of the safe.

6. My attorney has advised me that the officers' conduct violated my rights under the Fourth Amendment to the United States Constitution.

WHEREFORE, I respectfully request that this Court enter an order suppressing the evidence recovered as a result of this Fourth Amendment violation.

Dated: New York New York
June 3, 2007


WILLIAM DAVIS